

## **Remarks/Arguments**

Claims 1-14 are now pending in this application. In the April 9, 2008 Office Action, claims 7, 8, 12, and 13 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,157,618 to Boss et al. (hereinafter “*Boss*”). Claims 1-6, 9-11, and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Boss* in view of U.S. Patent Application Publication No. 2002/0042765 to Dawson (hereinafter “*Dawson*”).

By this amendment, claims 3 and 7-11 have been canceled and new claims 15-20 have been added. Claims 1, 2, 4, and 12 have also been amended. Following entry of this amendment, claims 1, 2, 4-6, and 12-20 will be pending in the present application. For the reasons set forth below, the applicant respectfully requests reconsideration and immediate allowance of this application.

## **Claim Rejections**

### **Independent Claim 1**

Claim 1 was rejected under 35 U.S.C. § 103(a) as being obvious over *Boss* in view of *Dawson*. The applicant has amended independent claim 1 to further clarify aspects of the recited invention. The applicant respectfully submits that neither *Boss* nor *Dawson*, either separately or in combination, teaches, describes, or suggests every recitation of independent claim 1, as amended. Specifically, the cited art fails to describe or suggest “setting a real time clock on the server management device to Greenwich Mean Time, . . . wherein the real time clock is operative to maintain a time for the server management device,” as recited in independent claim 1. The Office Action cites figure 11, column 10, lines 55-60, and column 12, lines 11-51 of *Boss* as disclosing this recitation.

*Boss* describes a central server (the “UserMon” server) and a series of data-gathering client computers. *Boss*, Fig. 11. The cited portions provide that the UserMon server transmits Greenwich Mean Time (GMT) to a client computer, which operates using local time. *Id.* at Col. 12, Lines 11-51. The client computer determines an offset for translating local time to GMT time by comparing the local time to the received GMT. *Id.* After collecting performance parameter values for a target website, the client computer forwards those values back to the

UserMon server along with the corresponding GMT, calculated using the offset, and instructions to the UserMon server to store the values and GMT in a log. *Id.*

The Office Action notes on page 4 that “the UserMon server [logging] the performance-parameter of the data-gathering client in GMT time” is equivalent to setting the real time clock on the server management device. The applicant submits that transmitting a GMT time value from one computer to the next or adding a log entry containing a GMT time value to a log file is not equivalent to setting the real time clock on a server management device. The Office Action further suggests on page 10 that the applicant has a specific definition for a real time clock that is not included in the claims. Amended claim 1 provides that the real time clock is an element or component “operative to maintain a time for the server management device.” The applicant submits that *Boss* does not disclose or describe a real time clock or any element or component operative to maintain a time for any device. Nor does it disclose or describe setting the real time clock, as recited in independent claim 1.

*Boss* also fails to describe or suggest “determining from a format of the received data whether the received data includes time data,” as recited by independent claim 1, as amended. The Office Action cites column 13, lines 27-32 of *Boss* as disclosing this recitation. The cited portions of *Boss* describe a response sent by the UserMon server to a data-gathering client computer after receiving a logging request. *Id.* at Col. 13, Lines 27-32. The response includes a “GMTTime” field indicating the GMT time on the UserMon server. *Id.* Specifically, the Office Action notes on page 5 the presence of the GMTTime field in the response.

The applicant submits that including a specifically defined field in response data is not equivalent to searching received data to find data formatted in a manner likely to indicate that it is time data, as recited in amended claim 1. The applicant’s specification further provides that the received data may or may not include time data, and that the time data may be in a variety of formats, e.g. “HH:MM” or “HH:MM:SS.” In contrast, *Boss* suggests that the GMTTime field is present in every response at a specific position separated by spaces from the other fields in the response. *Id.* at Col. 13, Lines 16-21.

Finally, the applicant respectfully submits that the cited combination does not describe or suggest “replacing the time data in the received data with the converted local time,” as recited in claim 1. The Office Action on page 5 suggests that the use by the data-gathering client of the GMTTime field in the response to calculate the offset used to convert from local time to GMT

time is equivalent to this recitation. Applicant respectfully submits that utilizing a time value to calculate an offset is not equivalent to replacing the time data in the response or received data with a converted local time, as recited in claim 1. The GMTTime field in the response received by the data-gathering computer in *Boss* is never replaced in the response with a converted local time or any other value.

Accordingly, for at least these reasons, the applicant submits that amended independent claim 1 is allowable over *Boss* and *Dawson* and that this claim is in condition for immediate allowance.

#### Dependent Claim 2

Claim 2 was rejected under 35 U.S.C. § 103(a) as being obvious over *Boss* in view of *Dawson*. The applicant has amended dependent claim 2 to correct antecedent basis errors and further clarify aspects of the recited invention. The applicant respectfully submits that neither *Boss* nor *Dawson*, either separately or in combination, teaches, describes, or suggests every element of claim 2. Specifically, the cited art does not describe or suggest “issuing a command to the server management device to set the real time clock to the Greenwich Mean Time,” as recited in dependent claim 2. The Office Action cites column 12, lines 52-59 of *Boss* as disclosing this recitation. The cited portions of *Boss* describe a log request sent to the UserMon server by the data-gathering client. *Id.* at Col. 12, Lines 52-59. The log request includes a request command and a GMT value. *Id.* However, *Boss* does not disclose that the command values for the request command include an instruction or command to the UserMon server to set its real time clock to the GMT value. *Id.* at Col. 13, Line 40 thru Col. 14, Line 29. The applicant submits, therefore, that the log request sent to the UserMon server described in *Boss* is not equivalent to issuing a command to the server management device to set its real time clock to the GMT, as recited in dependent claim 2.

The Office Action further suggests on page 11 that the applicant has a specific definition for a real time clock that is not included in the claims. Amended claim 1, from which claim 2 depends, provides that the real time clock is an element or component “operative to maintain a time for the server management device.” The applicant submits that *Boss* does not disclose or describe a real time clock or any element or component operative to maintain a time for any

device. Nor does it disclose or describe a command being issued to the UserMon server or any device to set its real time clock to GMT, as recited in dependent claim 2.

Accordingly, for at least these reasons, and because claim 2 depends from allowable independent claim 1 and incorporates all the recitations therein, the applicant submits that claim 2 is allowable over *Boss* and *Dawson* and is in condition for immediate allowance.

#### Dependent Claims 4-6

The applicant further submits that claims 4-6 are also patentable because they contain recitations not taught by *Boss* or *Dawson* and because these claims depend from allowable independent claim 1 and incorporate all the recitations therein. Accordingly, the applicant submits that claims 4-6 are in condition for immediate allowance.

#### Independent Claim 12

Claim 12 was rejected under 35 U.S.C. § 102(b) as being anticipated by *Boss*. The applicant has amended independent claim 12 to correct antecedent basis in the claims and to further clarify aspects of the recited invention. The applicant respectfully submits that *Boss* does not teach, describe, or suggest all the recitations of independent claim 12. In particular, *Boss* does not describe or suggest “the plug-in module operative to receive a request to set the real time clock of the computer management device, . . . wherein the real time clock is operative to maintain a time for the computer management device,” as recited in claim 12. The Office Action cites column 7, lines 8-14, of *Boss* as disclosing these recitations.

The cited portion of *Boss* describes the data-gathering client reading an internal timer using the ‘WIN32’ application-programming interface. *Id.* at Col. 7, Lines 8-14. The timer readings are used to determine the duration of time in milliseconds or microseconds of the full download of a web page from a target website. *Id.* at Col. 7, Lines 8-30. The applicant respectfully submits that the retrieval of two timer readings in milliseconds or microseconds in order to calculate a duration is not equivalent to a request to set the real time clock of a computer management device, as recited in claim 12. The duration calculated from the timer readings is never used to set the current time of a real time clock.

The Office Action further suggests on page 13 that the applicant has a specific definition for a real time clock that is not included in the claims. As described above with respect to claims

1 and 2, *Boss* does not disclose or describe a real time clock or any element or component operative to maintain a time for any device, as recited in independent claim 12.

Similarly, *Boss* does not describe or suggest “the plug-in module operative to . . . issue a command to the computer management device to set the real time clock to Greenwich Mean Time, wherein the real time clock is operative to maintain a time for the computer management device,” as recited in claim 12. As discussed above in regards to dependent claim 2, while the “log request” message sent by the data-gathering client computer to the UserMon server includes a request command and a GMT value, *Boss* does not disclose that the command values for the request command includes an instruction or command to the UserMon server to set its real time clock to the GMT time value. Further, the applicant submits that *Boss* does not disclose or describe a real time clock or any element or component operative to maintain a time for any device. Nor does it disclose or describe a command being issued to the UserMon server or any device to set its real time clock to GMT, as recited in independent claim 12.

Accordingly, for at least these reasons, the applicant submits that independent claim 12 is allowable over *Boss* and is in condition for immediate allowance.

#### Dependent Claim 13

Claim 13 was rejected under 35 U.S.C. § 102(b) as being anticipated by *Boss*. For at least reason that claim 13 depends from allowable independent claim 12 and incorporates all the recitations therein, the applicant submits that claim 13 is allowable over *Boss* and is in condition for immediate allowance.

#### Dependent Claim 14

Claim 14 was rejected under 35 U.S.C. § 103(a) as being obvious over *Boss* in view of *Dawson*. For at least the reason that claim 14 depends from allowable independent base claim 12, as discussed above, and incorporates all the recitations therein, the applicant submits that claim 14 is in condition for immediate allowance.

New Claims

Independent Claim 15

The applicant has added new independent claim 15. For at least the reasons discussed above in regard to independent claims 1 and 12, the applicant respectfully submits that new independent claim 15 is allowable over the combined teachings of *Boss* and *Dawson*. *Boss* and *Dawson*, neither separately nor in combination, teach, describe, or suggest “a real-time clock operative to maintain a time for [a] redirection device,” “the redirection device operative to receive a command to set the real-time clock to a specified GMT time value,” “[setting] the real-time clock to the specified GMT time value,” “a web browser plug-in module executing on a remote computer communicatively connected to the redirection device, the web browser plug-in module operative to send a command to the redirection device to set the real-time clock to the specified GMT time value,” or “[replacing] the time data in the health data with the converted time data.” Accordingly, new independent claim 15 is allowable over the cited art.

Dependent Claims 16-20

The applicant has also added new dependent claims 16-20. The applicant submits that claims 16-20 are patentable because they contain recitations not taught by *Boss* or *Dawson* and because these claims depend from allowable independent base claim 15. Accordingly, the applicant submits that claims 16-20 are in condition for immediate allowance.

**Conclusion**

In view of the foregoing amendment and remarks, the applicant respectfully submits that all of the pending claims in the present application are in condition for allowance. Reconsideration and reexamination of the application and allowance of the claims at an early date is solicited. If the Examiner has any questions or comments concerning this matter, the Examiner is invited to contact the applicant's undersigned attorney at the number below.

Respectfully submitted,

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/Michael J. Baldauff, Jr./

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